

Small Estate Affidavit(s) of Transfer (Instead of Probate)

Procedures: What to do after you have completed the affidavit:

1. To collect personal property: Take the "Affidavit for Collection of All Personal Property" to the person who has the personal property (cash, bank accounts, stocks and bonds, cars, jewelry, etc.) of the person who died. If you are claiming title to a motor vehicle, the motor vehicle division will transfer title to you upon payment of any required fees.

You may also present the Affidavit to collect a debt owed to the person who died. If you are the surviving spouse, you may *also* use the Affidavit to collect wages owed to the decedent, of up to \$5000.

It is not necessary to file any papers or pay any fees to the court to use the Affidavit to Collect Personal Property.

2. To claim an interest in real property: Take the following documents to the Probate Registrar at any of the Superior Court locations listed. Note that there will be a fee to file for this process. A list of current fees is available from the Law Library Resource Center and from the Clerk of Superior Court's website.

- Original Probate Cover sheet. (Mark #204 for "Affidavit of Succession to Realty").
- Original "Affidavit for Transfer of Title to Real Property Checklist."
- Original "Affidavit for Transfer of Title to Real Property." If the estate was previously opened, write the old probate case number on the affidavit.
- Original Will if one exists or a certified copy of the Will from the court of record.
- Certified death certificate.
- Copy of the closing statement if there was a probate in a county other than Maricopa County.
- When completing the Affidavit for Collection of all Personal Property, the Clerk of Superior Court cannot notarize this form.

File your papers with the Probate Registrar at any of the following Superior Court locations:

Downtown Phoenix:
Central Court Building, 1st Floor
201 West Jefferson
Phoenix, AZ 85003

Northeast Phoenix:
Northeast Regional Court Facility
18380 North 40th Street
Phoenix, AZ 85032

Surprise:
Northwest Regional Court Facility
14264 West Tierra Buena Lane
Surprise, AZ 85374

Mesa:
Southeast Court Facility, 1st Floor
222 East Javelina Avenue
Mesa, AZ 85210

File the original Affidavit for Transfer of Real Property Title and the original will. If the Probate Registrar determines that your Affidavit is complete, the Probate Registrar will issue a certified copy of the affidavit.

You must then record the certified copy with the county recorder in the county where the real property is located.